

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Stanley Herbert,
Plaintiff,

v.

Case No. C-1-00-855
(Hogan, M.J.)

Milford Towing & Service, Inc., et al.,
Defendants.

ORDER

Pursuant to putting the Parties' objections to the Jury Instructions before the Court Reporter on October 30, 2003, the Parties have notified this Court of a settlement.

It is ORDERED that this action is hereby DISMISSED with prejudice, provided that any of the parties may, upon good cause shown within sixty (60) days, reopen the action if settlement is not consummated.

The Court retains jurisdiction over the settlement contract for the purpose of its enforcement.

Date 10/31/2003

bac October 31, 2003

s/Timothy S. Hogan
TIMOTHY S. HOGAN
United States Magistrate Judge